IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 20901 of 1995

Between:

M/s. Preyanshu Industries Limited,

A Public Limited Company, incorporated under the provisions of Companies Act, 1956 having its Registered Office at 1-8-670, Azamabad, Hyderabad-500 020, Rep. by its Managing Director,
Sri Sunil Gupta, S/o. R.K. Gupta, 35 years.

..... PETITIONER

AND

1. Senior Accounts Officer,
   TRI (North) O/o area manager(North)Telecom,

Minerva Complex, Secunderabad-500003.
2. General Manager,
   Hyderabad Telephones, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, direction, or order especially in the nature of Mandamus requiring the respondents to reconnect telephone
No. 663298.

Counsel for the Petitioner: MR.S.RAVI

Counsel for the Respondents: MR.RAMAKRISHNA RAO SIDDANATHI (SC FOR CG)

The Court made the following:

ORDER:

The petitioner filed the writ petition seeking a direction to the respondents to restore the telephone connection - Telephone bearing No. 663298, which was disconnected on the ground of non-payment of the bill amount.

On 15-9-1995, this Court while ordering notice before admission, passed the following order:

> The respondents are directed to restore the Telephone No. 667952 at the factory premises of the petitioner and Telephone No. 316937 at the residence of the Chairman of the petitioner, on payment of reconnection charges, forthwith. The petitioner shall however deposit a sum of Rs.1,00,000/- on or before 22-9-1995. In default of payment of Rs.1,00,000/- as directed above, the respondents may disconnect the Telephone Nos.667952 and 316937 on 23-9-1995.

Thereafter, the writ petition was admitted. Though the writ petition was admitted as long back as in the year 1995, and though notice was taken on behalf of the respondents by the then Additional Standing Counsel for Central Government, no counter-affidavit has been filed till date.

Be that as it may, I have heard the learned counsel for the petitioner and the learned Additional Standing Counsel for the Central Government. Having regard to the fact that pursuant to the interim order passed by this Court, upon the petitioner paying the amount as directed by this Court, the Telephone connection was restored, they both agreed for disposal of the writ petition with the following directions:

Inasmuch as the Telephone connection has been restored, if the petitioner still has any grievance with regard to the bills raised by the respondents, he is at liberty to file an application under section 7B of the Indian Telegraph Act, before the authorities concerned, seeking appointment of an Arbitrator for adjudication of the disputes between them. If any such request is made, the respondents shall appoint an Arbitrator and refer the dispute in question to him for adjudication.

The writ petition is accordingly disposed of. No order as to costs.

_____

N.V. RAMANA, J

Dated: 5-10-2004

LSK/KSR

To

1. Senior Accounts Officer,
   TRI (North) O/o area manager(North)Telecom,

Minerva Complex, Secunderabad-500003.
2. General Manager,
   Hyderabad Telephones, Hyderabad.

3. Two C.D. copies.